

## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/765,051	01/16/2001	Alan R. Cohn	LIUI116895	7685	
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CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC			EXAMINER		
1420 FIFTH A' SUITE 2800	VENUE	REDMAN, JERRY E			
SEATTLE, WA	A 98101-2347				
			ART UNIT	PAPER NUMBER	
			3634		
			DATE MAILED: 09/05/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Staminer		Application No.	Applicant(s)	
## Examiner				
Jerry Redman   3634	Office Action Summary			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Examains of time may be available under the provision of 3 CFR 1.13(a). In cevert, however, may a reply be limbly filled that SX (b) MONTH from the maling date of this boommond of 3 CFR 1.13(a). In cevert, however, may a reply be limbly filled that SX (b) MONTH from the maling date of this boommond of the provision o	-			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CPR 1.736(s). In no event, however, may a reply be timely filled  If the period for reply specified above is less than thirty (30) days, a reply white the statistic of reply is specified above. The maximum of of 3 CPR 1.736(s). In no event, however, may a reply be timely filled  If the period for reply specified above is less than thirty (30) days, a reply white the statistic of reply is specified on the mainty of the communication of the specified period for reply will, by satistic period will apply and will eigen (50) (MONTHS from the mainty date of this communication.  Fill Depend or reply is specified above. It has a thirty of 30 days, and the specification is become ABANCONED (30 U.S.C.) § 133).  Responsive to communication(s) filled on 18 June 2002.  20] This action is FINAL.  20] This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.59 is/are pending in the application.  4a) Of the above claim(s)	The MAILING DATE of this communication app	<u> </u>		-
THE MAILING DATE OF THIS COMMUNICATION.  Extractions of time may be windless under the provisions of 3 CPR 113(s), in no event, however, may a reply be timely filed after SIX (5) MONTHS from the mailing date of this communication.  I the period may specified done is best bits hitty (50); when, and windless the provision is the period of may specified done is best bits hitty (50); when the data date of the communication.  Failure is reply willing the set or extended period for reply will, by station, cause the application to become ABANDCHED (38 U.S.C. § 133).  Any reply received by the Office better than these months after the mailing date of the scommunication, even if timely filed, may reduce any station provided by the Office better than these months after the mailing date of the scommunication, even if timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, may reduce any station provided to the scommunication of timely filed, and the scommunication of the scomm	• •			
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Application/Control Number: 09/765,051

Art Unit: 3634

This application contains claims directed to the following patentably distinct species of the claimed invention: Group I-Figures 1-7; Group II-Figures 8-10; and Group III-Figure 14.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.

Jerry Redman Primary Examiner